

LATHAM & WATKINS^{LLP}

November 2, 2017

Freedom of Information Officer
U.S. EPA, Region 10
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

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File No. 043671-0098

Re: Freedom of Information Act Request

Dear FOIA Administrator:

This is a Freedom of Information Act Request pursuant to 5 U.S.C. § 552. I request that a copy of the following document(s) be provided to me:

- 1) All COMMUNICATIONS between you and any member of the Spokane River Regional Toxics Task Force CONCERNING the Spokane River Regional Toxics Task Force or any project undertaken by or on behalf of the Spokane River Regional Toxics Task Force.
- 2) All COMMUNICATIONS between you and any other person CONCERNING the Spokane River Regional Toxics Task Force.
- 3) All DOCUMENTS and COMMUNICATIONS CONCERNING the projects you have performed with or on behalf of the Spokane River Regional Toxics Task Force.
- 4) All DOCUMENTS and COMMUNICATIONS CONCERNING PCBs in the Spokane River, including, but not limited to, inadvertently generated PCBs and PCBs in consumer products.
- 5) All studies, DOCUMENTS, and/or reports concerning the estimated half-life or breakdown of Aroclors.
- 6) All DOCUMENTS and COMMUNICATIONS CONCERNING any notice of violation, notice of non-compliance, warning letter, or similar document issued by you CONCERNING the discharge of PCBs into the Spokane River.
- 7) All pleadings filed in any civil administrative action, civil judicial action, or criminal action initiated by or at EPA's direction against any of the Spokane River Regional Toxics Task Force members concerning PCBs.

When responding to these Requests, please use the following definitions for each capitalized term:

1. The terms “and” and “or” are used herein as terms of inclusion and not of exclusion and shall have both conjunctive and disjunctive meanings, and the words “any” and “all” mean each and every.
2. The terms “relating to” or “concerning” shall mean in whole or in part to discuss, describe, reflect, memorialize, contain, analyze, study, report on, comment on, evidence, constitute, embody, identify, state, consider, recommend, set forth, concern, address, deal with or in any way pertain to.
3. The term “documents” shall mean any and all public records as defined under the Washington Public Disclosure Act, including without limitation reports, records, drafts, letters, memoranda, notes, communications, inspection reports, logs, tables, spreadsheets, books, photographs, electronic files, emails, facsimiles, diagrams, documents, and every other means of recording upon any tangible thing any form of communication or representation.
4. The term “communications” shall mean the exchange of information by any means, including, without limitation, telephone, telecopy, facsimile, e-mail, or other electronic medium, letter, memorandum, notes or other writing method, meeting, discussion, conversation, or other form of verbal expression.
5. The term “Spokane River Regional Toxics Task Force” shall mean and refer to the Spokane River Regional Toxics Task Force and any person acting as a representative or participant, current or former, of the Spokane River Regional Toxics Task Force.
6. “PCB” or “PCBs” means polychlorinated biphenyls, including any individual chlorinated diphenyl congener, and any product or mixture that incorporates any polychlorinated biphenyl, including, without limitation, Askarel, Aroclor, Interteen, Pydraul, Pyralene, Pyranol, and Therminol FR.

To the extent any of the records responsive to this request are stored in electronic format, please also provide a copy of the records in their native electronic format on CD-ROM or other media that will enable us to load the records onto a computer. When providing electronic records, please include metadata.

Please supply the requested records without informing me of the cost if the fees do not exceed \$1,000.00, which I agree to pay as necessary. Otherwise, I ask that you notify me of any search or duplication costs exceeding \$1,000.00.

If you are not the appropriate contact for this FOIA request, please let me know so that I may direct this request to the appropriate contact. If you deny any part of this request, please cite each specific reason that you believe justifies your refusal to release the information with respect

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to each document or category of documents refused. Please also notify me of any appeal procedures available under the law.

If you have any questions about this request, please contact me at (858) 523-3941 or natalie.rogers@lw.com. Thank you for your time and attention to this matter.

Very truly yours,

/s/ Natalie C. Rogers

Natalie C. Rogers
of LATHAM & WATKINS LLP